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Attorneys for DINO DENNISON and KNIGHT  
TRANSPORTATION, INC.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ALEXIS LEE,

Plaintiff,

v.

DINO DENNISON, individually; KNIGHT  
TRANSPORTATION, INC., a foreign  
corporation; DOES I-X, and ROE  
CORPORATIONS INC.,

Defendants.

Case No.

**NOTICE OF REMOVAL**

Trial Date: None Set

TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA  
Defendant Dino Dennison and Defendant Knight Transportation Group, LLC (collectively  
"Defendants"), hereby notice the removal of this action to the United States District Court and, in  
support thereof, state as follows:

**Statement of the Case**

1. Plaintiff filed her Complaint in this litigation on or about June 28, 2019 in the Eighth  
Judicial District Court, Clark County, Nevada, Case Number A-19-797664-C. A copy of the  
Complaint is attached hereto as **Exhibit A**. Together with her Complaint, Plaintiff demanded a jury  
for trial. A copy of the Demand for Jury Trial is attached as **Exhibit B**.

2. On or about July 11, 2019, Defendant Knight Transportation Group, LLC was served  
with a copy of a Summons and Complaint. A copy of the summons is attached as **Exhibit C**.

3. Plaintiff's Complaint alleges personal injuries stemming from an accident occurring on or about September 19, 2017, and in the pleading seeks relief in excess of \$15,000.00. *See* Ex. A. Therein, she raises claims of negligence, negligence *per se*, liability under a theory of respondeat superior, and negligent entrustment of a vehicle. *Id.*

#### **Basis for Diversity Jurisdiction Under 28 U.S.C. § 1332(a)**

4. As detailed further below, this Court has jurisdiction in this matter under 28 U.S.C. § 1332(a) as there is complete diversity of citizenship between Plaintiff and Defendants, and more than \$75,000, exclusive of interests and costs, is in dispute.

5. Based upon prior correspondence with Plaintiff's counsel, her medical treatment which she attributes as a necessary result of the accident exceeds \$32,000, and that her treatment is alleged as unresolved and continuing. *Id.*

6. Based upon the pleadings, Plaintiff seeks compensation for general damages, in excess of \$15,000.00, as well as for property damage in an unknown amount. *Id.*

7. As the Plaintiff seeks medical damages, general damages, and property damages, the amount in controversy exceeds \$75,000.00.

8. Plaintiff alleges, and Defendants do not presently dispute, that she is a resident of Clark County, Nevada. *Id.*

9. Defendant Dino Dennison is a resident of Apache County, Arizona. *Id.*

10. Defendant Knight Transportation, Inc. is a corporation organized in Arizona, with its principal place of business in Maricopa County, Arizona. *Id.*

11. As no Defendant shares citizenship with Plaintiff in Nevada, there is complete diversity among the parties.

#### **Compliance with Procedural for Removal**

12. Pursuant to 28 U.S.C. § 1446(a), a true and correct copy of all process, pleadings, orders, and documents from the Eighth Judicial District Court, Clark County, Nevada case which have been served upon Defendants are being filed with this Notice of Removal.

13. Removal is timely as this Notice of Removal is being filed within 30 days from the date which Defendant Knight Transportation, Inc. was served. *See* Ex. B.

14. Following the filing of this Notice of Removal, a copy of this Notice of Removal will be filed in the Eighth Judicial District Court, Clark County, Nevada case. The Notice to be filed in that case is attached hereto as **Exhibit D**.

15. Pursuant to 28 U.S.C. § 1441(a) and 1446(a), venue is proper in this Court because it is the District Court which embraces the Eighth Judicial District Court, Clark County, Nevada where the Plaintiff's Complaint was originally filed.

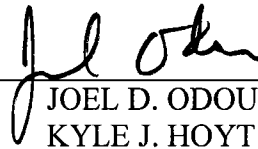
### Conclusion

Based upon the foregoing, this matter is properly removed to the United States District Court for the District of Nevada under its diversity jurisdiction. By filing this Notice of Removal, Defendants do not waive any objections they may have as to service, service of process, jurisdiction, venue, or any other defenses or objections they may have to this action.

DATED: August 1, 2019

WOOD, SMITH, HENNING & BERMAN LLP

By:

  
JOEL D. ODOU  
KYLE J. HOYT

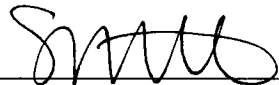
Attorneys for DINO DENNISON and KNIGHT  
TRANSPORTATION, INC.

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2881 BUSINESS PARK COURT, SUITE 200  
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TELEPHONE 702 251 4100 • FAX 702 251 5405

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of August, 2019, a true and correct copy of the **NOTICE OF REMOVAL** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By   
Stephanie Hutchinson, an Employee of  
WOOD, SMITH, HENNING & BERMAN LLP

WOOD, SMITH, HENNING & BERMAN LLP  
Attorneys at Law  
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# EXHIBIT A

Electronically Filed  
6/28/2019 4:03 PM  
Steven D. Grierson  
CLERK OF THE COURT



CASE NO: A-19-797664-C  
Department 8

**COMP**

Paul D. Powell, Esq.  
Nevada Bar No. 7488  
Michael A. Kristof, Esq.  
Nevada Bar No. 7780  
Jason F. Lather, Esq.  
Nevada Bar No. 12607  
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Attorneys for Plaintiff

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALEXIS LEE,	)	
	)	CASE NO.
Plaintiffs,	)	DEPT. NO.
vs.	)	
	)	
DINO DENNISON, individually; KNIGHT	)	<b><u>COMPLAINT</u></b>
TRANSPORTATION, INC., a foreign corporation;	)	
DOES I-X, and ROE CORPORATIONS INC.	)	
	)	
Defendants.	)	

Plaintiff ALEXIS LEE by and through her attorney of record, PAUL D. POWELL, ESQ., of THE POWELL LAW FIRM, complains against Defendants DINO DENNISON and KNIGHT TRANSPORTATION, INC. as follows:

**GENERAL ALLEGATIONS**

1. Plaintiff ALEXIS LEE (hereinafter "Plaintiff") is, and at all times mentioned herein, was, a resident of the County of Clark, State of Nevada.
2. Defendant DINO DENNISON is, and at all times mentioned herein, was, a resident of County of Apache, State of Arizona.

- 1           3. Defendant KNIGHT TRANSPORTATION, INC. is, and at all times mentioned  
2           herein, was, a foreign corporation, licensed to do business in the County of Clark,  
3           State of Nevada.
- 4           4. The true names and capacities of the Defendants designated herein as Doe or Roe  
5           Corporations are presently unknown to Plaintiff at this time, who therefore sues said  
6           Defendants by such fictitious names. When the true names and capacities of these  
7           Defendants are ascertained, Plaintiff will amend this Complaint accordingly.
- 8           5. At all times pertinent, Defendants were agents, servants, employees or joint  
9           venturers of every other Defendant herein, and at all times mentioned herein were  
10          acting within the scope and course of said agency, employment, or joint venture,  
11          with knowledge and permission and consent of all other named Defendants.
- 12          6. Plaintiff ALEXIS LEE was a passenger in a vehicle driven by non-party Jacqueline  
13          Carter.
- 14          7. Defendant DINO DENNISON is, and at all times mentioned herein, was, the  
15          operator of a 2014 International Truck Tractor, Idaho plate no. 2102316 (hereinafter  
16          "Vehicle").
- 17          8. Upon information and belief, Defendant KNIGHT TRANSPORTATION, INC. was,  
18          at all times mentioned herein, the owner of the Vehicle.
- 19          9. At all times mentioned herein, Defendant DINO DENNISON was driving Defendant  
20          KNIGHT TRANSPORTATION, INC.'s vehicle with permission from Defendant  
21          KNIGHT TRANSPORTATION, INC.
- 22          10. On September 19, 2017 in Clark County, Nevada, Defendant DINO DENNISON  
23          was the driver of a vehicle owned by Defendant KNIGHT TRANSPORTATION,  
24          25          26          27          28

1 INC. – while in the course and scope of his employment with KNIGHT  
2 TRANSPORTATION, INC. – and negligently caused a crash with Plaintiff. Plaintiff  
3 reserves the right to name additional KNIGHT TRANSPORTATION, INC.  
4 employees as the driver of the vehicle at the time of the crash.  
5

6 11. As a direct and proximate result of Defendant DINO DENNISON's negligence,  
7 Plaintiff sustained injuries to Plaintiff's shoulders, back, bodily limbs, organs and  
8 systems, all or some of which conditions may be permanent and disabling, and all to  
9 Plaintiff's damages in a sum in excess of \$15,000.00.  
10

11 12. As a direct and proximate result of Defendant DINO DENNISON's negligence,  
12 Plaintiff received medical and other treatment for the aforementioned injuries, and  
13 that said services, care and treatment are continuing and shall continue in the future,  
14 all to the damages of Plaintiff.  
15

16 13. As a direct and proximate result of Defendant DINO DENNISON's negligence,  
17 Plaintiff has been required to, and has limited occupational and recreational  
18 activities, which have caused and shall continue to cause Plaintiff loss of earning  
19 capacity, lost wages, physical impairment, mental anguish, and loss of enjoyment of  
20 life, in a presently unascertainable amount.  
21

22 14. As a direct and proximate result of the aforementioned negligence of all Defendants,  
23 Plaintiff has been required to engage the services of an attorney, incurring attorney's  
24 fees and costs to bring this action.  
25

26 **FIRST CAUSE OF ACTION**

27 15. Plaintiff incorporates paragraphs 1 through 14 of the Complaint as though said  
28 paragraphs were fully set forth herein.



1 16. Defendant Dennison owed Plaintiff a duty of care to operate the Vehicle in a  
2 reasonable and safe manner. Defendant Dennison breached that duty of care by  
3 striking Plaintiff's vehicle.

4  
5 17. The acts of Defendant as described herein violated the traffic laws of the State of  
6 Nevada and Clark County.

7 18. Plaintiff is in the class of individuals who are meant to be protected pursuant to the  
8 statute(s) violated by Defendant.

9 19. Defendant's actions and statutory violation constitute negligence per se.

10 20. Defendant DINO DENNISON was an employee of Defendant KNIGHT  
11 TRANSPORTATION, INC. at the time of the acts complained of herein.

12 21. Defendant DINO DENNISON was in the course and scope of his employment with  
13 Defendant KNIGHT TRANSPORTATION, INC. at the time of the acts complained  
14 of herein.

15 22. Because Defendant DINO DENNISON was in the course and scope of his  
16 employment with Defendant KNIGHT TRANSPORTATION, INC. at the time of  
17 the crash, Defendant KNIGHT TRANSPORTATION, INC. is liable for Defendant  
18 DINO DENNISON's actions based on the doctrine of respondeat superior.

19 23. As a direct and proximate result of the negligence of Defendant Dennison, Plaintiff  
20 has been damaged in an amount in excess of \$15,000.00.

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23  
24 **SECOND CAUSE OF ACTION**

25 24. Plaintiff incorporates paragraphs 1 through 23 of the Complaint as though said  
26 paragraphs were fully set forth herein.  
27  
28

1           25. Defendant KNIGHT TRANSPORTATION, INC. was the owner, or had custody and  
2           control of the Vehicle. Defendant KNIGHT TRANSPORTATION, INC. did entrust  
3           the Vehicle to the control of Defendant DINO DENNISON.

4  
5           26. Defendant DINO DENNISON was incompetent, inexperienced, or reckless in the  
6           operation of the Vehicle.

7           27. Defendant KNIGHT TRANSPORTATION, INC. actually knew, or by the exercise  
8           of reasonable care, should have known, that Defendant DINO DENNISON was  
9           incompetent, inexperienced, or reckless in the operation of motor vehicles.

10  
11          28. Plaintiff was injured as a proximate consequence of the negligence and  
12          incompetence of Defendant DINO DENNISON.

13          29. As a direct and proximate cause of the negligent entrustment of the Vehicle by  
14          KNIGHT TRANSPORTATION, INC. to Defendant DINO DENNISON, Plaintiff  
15          has been damaged in an amount in excess of \$15,000.00.

16  
17          WHEREFORE, Plaintiff expressly reserves the right to amend this Complaint prior to or at  
18          the time of trial of this action, to insert those items of damage not yet fully ascertainable, and pray  
19          judgment against all Defendants, and each of them, as follows:

- 20           1. For general damages sustained by Plaintiff in an amount in excess of \$15,000.00;  
21           2. For special damages sustained by Plaintiff in an amount in excess of \$15,000.00;  
22           3. For property damages sustained by Plaintiff;  
23           4. For reasonable attorney's fees and costs;

24  
25          ///

26  
27  
28          ///

1 5. For interest at the statutory rate; and

2 6. For such other further relief as the Court deems just and proper.

3 DATED this 28<sup>th</sup> day of June, 2019.

4 THE POWELL LAW FIRM

5 /s/ Jason F. Lather

6  
7 

---

Paul D. Powell, Esq.

8 Nevada Bar No. 7488

9 Michael A. Kristof, Esq.

10 Nevada Bar No. 7780

11 Jason F. Lather, Esq.

12 Nevada Bar No. 12607

13 6785 W. Russell Road, Suite 210

14 Las Vegas, NV 89118

# EXHIBIT B

Electronically Filed  
6/28/2019 4:03 PM  
Steven D. Grierson  
CLERK OF THE COURT



CASE NO: A-19-797664-C  
Department 8

DMJT

Paul D. Powell, Esq.  
Nevada Bar No. 7488  
Michael A. Kristof, Esq.  
Nevada Bar No. 7780  
Jason F. Lather, Esq.  
Nevada Bar No. 12607  
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Phone: (702) 728-5500  
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Attorneys for Plaintiff

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALEXIS LEE,

Plaintiffs,

vs.

DINO DENNISON, individually; KNIGHT  
TRANSPORTATION, INC., a foreign corporation;  
DOES I-X, and ROE CORPORATIONS INC.

Defendants.

)  
) CASE NO.  
) DEPT. NO.

**DEMAND FOR JURY TRIAL**

COMES NOW Plaintiff ALEXIS LEE by and through her attorney of record, PAUL D. POWELL, ESQ., of THE POWELL LAW FIRM, and hereby demands a jury trial of all of the issues in the above matter.

DATED this 28<sup>th</sup> day of June, 2019.

THE POWELL LAW FIRM

/s/ Jason F. Lather

\_\_\_\_\_  
Jason F. Lather, Esq.  
Nevada Bar No. 12607

# EXHIBIT C

Electronically Issued  
6/28/2019 4:04 PM

7-11-19  
2:51 p.m.  
Served  
JEB

**SUMM**

Paul D. Powell, Esq.  
Nevada Bar No. 7488  
Michael A. Kristof, Esq.  
Nevada Bar No. 7780  
Jason F. Lather, Esq.  
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CASE NO: A-19-797664-C  
Department 8

Attorneys for Plaintiff

**DISTRICT COURT****CLARK COUNTY, NEVADA**

ALEXIS LEE,

Plaintiffs,

vs.

DINO DENNISON, individually; KNIGHT  
TRANSPORTATION, INC., a foreign corporation;  
DOES I-X, and ROE CORPORATIONS INC.

Defendants.

)  
) CASE NO.  
) DEPT. NO.

**SUMMONS**

**NOTICE! YOU HAVE BEEN SUED, THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS, READ THE INFORMATION BELOW.**

**KNIGHT TRANSPORTATION, INC.**

**TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:

a. File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.

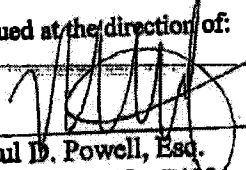
b. Serve a copy of your response upon the attorney whose name and address is shown below.

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint

3. If you intend to seek the advise of an attorney in this matter, you should do so promptly so that your response may be filed on time.


1  
2 4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission  
3 members and legislators, each have 45 days after service of this summons within which to file an answer or other  
4 responsive pleading to the complaint.

5 Issued at the direction of:

6  
7   
8 Paul D. Powell, Esq.  
9 Nevada Bar No. 7488  
10 Michael A. Kristof, Esq.  
11 Nevada Bar No. 7780  
12 6785 West Russell Road, Suite 210  
13 Las Vegas, Nevada 89118  
14 Attorneys for Plaintiff  
15  
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CLERK OF THE COURT

6/28/2019

  
DEPUTY CLERK Laurie Williams DATE  
County Courthouse  
200 Lewis Avenue, 3<sup>rd</sup> Floor, Suite 3125  
Las Vegas, Nevada 89155



# EXHIBIT D

**REMOV**

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Attorneys for Knight Transportation, Inc. and  
Dino Dennison

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

ALEXIS LEE,

Plaintiff,

v.

DINO DENNISON, individually; KNIGHT  
TRANSPORTATION, Inc., a foreign  
corporation; DOES I-X, and ROE  
CORPORATIONS INC.,

Defendants.

Case No. A-19-797664-C  
Dept. No.: 8

**NOTICE OF FILING OF NOTICE OF  
REMOVAL TO FEDERAL COURT**

TO: THE CLERK OF THE EIGHTH JUDICIAL DISTRICT COURT

TO: PAUL D. POWELL, ESQ., MICHAEL A. KRISTOF, ESQ., AND JASON F. LATHER,  
ESQ., THE POWELL LAW FIRM, ATTORNEYS FOR PLAINTIFF

PLEASE TAKE NOTICE that Defendant Dino Dennison and Defendant Knight  
Transportation, Inc. (collectively "Defendants"), pursuant to 28 U.S.C. §§ 1332 and 1441, have  
removed this action to the United States District Court, District of Nevada.

///

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///

///

1 A copy of the Notice of Removal filed with the United States District Court, District of  
2 Nevada, is attached as **Exhibit A**.

3 August \_\_\_, 2019

4 WOOD, SMITH, HENNING & BERMAN LLP  
5 Attorneys at Law

6  
7 By \_\_\_\_\_

8 JOEL D. ODOU  
9 Nevada Bar No. 7468  
10 KYLE J. HOYT  
11 Nevada Bar No. 14886  
12 2881 Business Park Court, Suite 200  
13 Las Vegas, Nevada 89128-9020  
14 Tel. 702 251 4100

15 Attorneys for Knight Transportation, Inc. and  
16 Dino Dennison  
17  
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WOOD, SMITH, HENNING & BERMAN LLP  
Attorneys at Law  
2881 BUSINESS PARK COURT, SUITE 200  
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TELEPHONE 702 251 4100 ♦ FAX 702 251 5405

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Wood Smith Henning & Berman, LLP and that on this \_\_\_\_ day of August, 2019, I did cause a true and correct copy of the foregoing **NOTICE OF FILING OF NOTICE OF REMOVAL TO FEDERAL COURT** to be served upon each of the parties listed below via electronic service through the Court's Odyssey File and Service System.

Paul D. Powell, Esq.  
Michael A. Kristof, Esq.  
Jason F. Lather, Esq.  
THE POWELL LAW FIRM  
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*Attorneys for Plaintiff*

By \_\_\_\_\_  
Stephanie Hutchinson, an Employee of  
WOOD, SMITH, HENNING & BERMAN LLP

WOOD, SMITH, HENNING & BERMAN LLP  
Attorneys at Law  
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